

VZCZCXRO3950
PP RUEHDBU RUEHFL RUEHKW RUEHLA RUEHROV RUEHSR
DE RUEHVB #0941/01 2201158
ZNY CCCCC ZZH
P 081158Z AUG 06
FM AMEMBASSY ZAGREB
TO RUEHC/SECSTATE WASHDC PRIORITY 6489
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RUEHBW/AMEMBASSY BELGRADE 1897
RUEHVJ/AMEMBASSY SARAJEVO 0162
RUEHSQ/AMEMBASSY SKOPJE 2555
RUEHPS/USOFFICE PRISTINA 0558
RUEAIIA/CIA WASHDC
RUEKJCS/SECDEF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 ZAGREB 000941

SIPDIS

SIPDIS

DEPARTMENT FOR S/WCI - WILLIAMSON, BERG,
EUR/SCE - HOH, SAINZ, PFEUFFER, L/EUR - KJOHNSON,
INR/WCAD - BRAUM/MORIN

E.O. 12958: DECL: 08/08/2016

TAGS: [PREL](#) [KAWC](#) [ICTY](#) [SR](#) [HR](#) [WAR](#) [CRIMES](#)

SUBJECT: AMBASSADOR WILLIAMSON: CROATIA MODEL FOR REGION IN
ICTY COOPERATION

REF: A. THE HAGUE 1617
[1](#)B. BELGRADE 1211
[1](#)C. ZAGREB 898

Classified By: Pol Officer Tom Selinger for reasons 1.4(b) & (d)

[1](#)1. (C) Summary: During a July 31 visit to Zagreb, Ambassador-at-Large for War Crimes Issues Clint Williamson welcomed Croatia's assistance on Serbia's Action Plan on ICTY cooperation and called on officials to continue their efforts to promote regional cooperation in addressing domestic war crimes cases. In meetings with President Stjepan Mesic, Chief State Prosecutor Mladen Bajic, and MFA State Secretary Hidajet Biscevic, Ambassador Williamson praised Croatia's positive political leadership on this issue. Croatian officials strongly endorsed Ambassador Williamson's initiative to base a local staff member in Zagreb to encourage regional cooperation and assist coordination efforts to track down ICTY fugitives. Mesic offered the presidential retreat on the Brijuni Islands as a venue for Ambassador Williamson's proposed regional meeting of state prosecutors. End Summary.

ICTY: CROATIAN EXPERIENCE CAN CONTRIBUTE TO BELGRADE'S
ACTION PLAN

[1](#)2. (C) While Croatia has met all of its obligations regarding the ICTY, its experience can benefit Serbia, Ambassador Williamson told officials in Zagreb. He specifically praised the role of President Mesic, pointing to him as the only leader in the region who has consistently said that the governments must address war crimes because this is the right thing to do to promote the rule of law and a just society, not just to check a box to achieve EU or NATO membership. While Mesic took heavy criticism for his statements during his career, Ambassador Williamson noted that the President has emerged as the most popular politician in Croatia, showing other regional leaders that a strong stance against war crimes is not political suicide.

[1](#)3. (C) Mesic called past atrocities "a burden on relations" in the region and maintained that all sides benefit when we eliminate collective guilt by holding individuals responsible for crimes. He noted that this has helped reduce public opposition to war crimes trials of Croat defendants. Ambassador Williamson called on Mesic to

continue to speak out on this issue.

¶4. (C) In discussing Serbia's Action Plan with Chief State Prosecutor Bajic, Ambassador Williamson welcomed Serbian War Crimes Prosecutor Vukcevic's coordinating role. Bajic, who has a close, cooperative relationship with Vukcevic, told Ambassador Williamson that he had advised ICTY Chief Prosecutor Del Ponte that Vukcevic was the only person in Serbia capable of playing this role. Bajic added from his own experience that Vukcevic must have strong public support from the government to succeed. According to Bajic, Kostunica must publicly distance himself from Mladic and condemn his crimes, otherwise Vukcevic will accomplish nothing.

DOMESTIC CASES: MONTENEGRO AGREEMENT MAY OVERCOME BANS ON EXTRADITIONS

¶5. (C) Ambassador Williamson invited Croatian officials to play a leading role in promoting regional cooperation on war crimes cases and offered the assistance of a local staff member of his office to be based in Zagreb. Bajic was particularly enthusiastic in his support, and pointed to a Croatia-Montenegro agreement signed the previous week as an important first step in addressing constitutional prohibitions in the region against the extradition of a nation's own citizens (ref C). The agreement enables him to transfer evidence on crimes committed in Croatia to his counterpart in Podgorica for the prosecution of defendants in Montenegro.

¶6. (C) The GoC is pushing for a similar agreement with

ZAGREB 00000941 002 OF 002

Belgrade, according to MFA's Biscevic, who said it would represent an immense step forward in the credibility of the Serbian judiciary. Bajic will meet with Vukcevic this fall to work on the details. If Belgrade shows political support for this agreement, Bajic said, it will help create terrain where it will be easier to arrest ICTY fugitive Ratko Mladic.

¶7. (C) Bajic also highlighted cooperation agreements between prosecutors in the region allowing working-level, prosecutor-to-prosecutor contacts that avoid cumbersome mutual legal assistance mechanisms for day-to-day business. He reported that more than 300 contacts regarding war crimes and other serious crimes were initiated under these agreements last year.

¶8. (C) Bajic also recently concluded an agreement with the ICTY to gain access to the Tribunal's electronic archives, demonstrating The Hague's clear confidence in his office. According to Bajic, access to these documents will allow him to make further progress in clearing the long list of old domestic war crimes cases, which has been reduced from 4,000 to 1,107, and open some new ones which were not appropriate for ICTY prosecution.

REGIONAL GATHERING OF PROSECUTORS COULD FOSTER COOPERATION

¶9. (C) Ambassador Williamson proposed gathering chief prosecutors from the region for several days in October to discuss barriers to regional cooperation and explore how their governments and the USG can assist in advancing their work. All Croatian officials strongly supported the idea. Bajic said such a meeting would be a great show of political support for work of the prosecutors and would significantly contribute to improving regional cooperation and efficiency. Biscevic said this gathering could be immensely important in defining the issues surrounding transferring evidence and witnesses. For his part, President Mesic offered the presidential retreat on the Brijuni islands as a venue so prosecutors can focus on

cooperation without daily distractions.
DELAWARE